

**Location** 22 Dollis Avenue London N3 1TX

**Reference:** 23/1251/HSE Received: 22nd March 2023  
Accepted: 23rd March 2023

**Ward:** Finchley Church End Expiry 18th May 2023

**Case Officer:** Asha Chhabhaiya

**Applicant:** Mr and Mrs Lewis and Natalie Blitz

**Proposal:** Two storey rear extension with new patio area. Addition of side windows and rooflights to ground floor. New front porch. Alterations to the garage roof and insertion of rooflights. Roof extension involving side and rear dormer windows, front, side and rear facing rooflights. Front metal railings to replace the existing front brick wall, modification to the roof at the rear of the pool structure with a rooflight. New decking to pool building

### **OFFICER'S RECOMMENDATION**

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

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Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 Before the building hereby permitted is first occupied the proposed windows in the side elevations facing No.20 and No 24 Dollis Avenue shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

- 5 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevations of the extensions hereby approved, facing either No.20 or No 24 Dollis Avenue

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

## **Informative(s):**

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The application site is at present comprised of a large detached dwelling located on the northern side of Dollis Avenue within the Finchley Church End Ward. The property is not listed nor do they lie within a conservation area.

Although the area is predominantly characterised by single family dwellings, there are examples of flatted developments in the immediate vicinity, including to the north at the development known as The Lintons (no.26 Dollis Avenue) and directly opposite at the development known as Primrose Court.

The property benefit from off-street parking and a large forecourt. The property is two storeys in height with accommodation in the roof space. No.22 Dollis Avenue benefits from a large single storey outbuilding connected to the main dwelling along the boundary with no.20 Dollis Avenue.

There are changes in the ground levels with the existing dwellings lying at a higher level than the highway.

There are numerous trees on the site and adjacent land however none are covered by a Tree Preservation Order.

### **2. Relevant Planning History**

Reference: 17/1363/FUL

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Refused

Decision Date: 9 November 2017

Description: Demolition of existing buildings. Erection of two-storey building comprising of 9no residential apartments with rooms in roof space and basement level. Parking for 15no cars at basement level, cycle parking for 20no cycles and refuse storage. Associated new fencing, landscaping, and amenity space

Reference: 18/4405/FUL

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Refused

Decision Date: 29 October 2018

Description: Demolition of existing buildings. Erection of two-storey building comprising of 9no residential apartments with rooms in roof space and basement level. Parking for 15no cars at basement level, cycle parking for 20no cycles and refuse storage. Associated new fencing, landscaping, and amenity space

Reference: F/00153/13

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Approved subject to conditions

Decision Date: 19 March 2013

Description: Extension to roof including two side dormer windows to facilitate a loft conversion. First floor side extension.

Reference: F/02469/08

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Refused

Decision Date: 3 September 2008

Description: Erection of ground floor side and rear extension and rear first floor extension. Extension and alteration to existing roof including new rear balcony, front dormer and solar panels.

Reference: F/04503/08

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Lawful

Decision Date: 19 January 2009

Description: Erection of ground floor side and rear extension and first floor rear extension. Alterations to roof including side dormers.

Reference: F/04042/08

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Withdrawn

Decision Date: 19 November 2008

Description: Erection of ground floor side and rear extension and rear first floor extension. Extension and alteration to existing roof including side dormers.

Reference: C10607A/05

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Refused

Decision Date: 12 December 2005

Description: Alteration to roof including gable end to front elevation and dormer window to side to extend existing loft conversion. Part single, part two-storey rear extension. Two-storey side extension. First floor side extension.

## Enforcement

Reference: ENF/00450/04/C

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Refused

Decision Date: 07.05.2004

Description: Structure in Rear Garden

### **3. Proposal**

The application seeks permission for a "Two storey rear extension with new patio area. Addition of side windows and rooflights to ground floor. New front porch. Alterations to the garage roof and insertion of rooflights. Roof extension involving side and rear dormer windows, front, side and rear facing rooflights. Front metal railings to replace the existing front brick wall, modification to the roof at the rear of the pool structure with a rooflight. New decking to pool building"

The ground floor extension would extend across the full width of the property, to provide a large link to the outbuilding. The extension would have a depth of 3.2m along the boundary with No.24 and 4.6m to infill the area between the outbuilding and dwelling. The first-floor elevation would match the depth of the ground floor with the exception of 2.6m depth along the boundary with No.20 set 2.2m off the boundary.

Porch

1.5m in depth

2.7m in width

2.3m in eaves

3.3m in maximum height

The loft development includes

Dormer facing No.20

2.1m in height

1.7m in depth

3.8m in width

Dormer facing No. 24

2.1m in height

2.6m in depth

3.7m in width

Rear dormer

2m in depth

2.8m in width

2m in height

The new roof over the rear end of the outbuilding measures 6m in depth, 6.1m in width and 2m in height to form a crown roof.

The proposed materials will be similar to that of those existing throughout.

### **4. Public Consultation**

Consultation letters were sent to 4 neighbouring properties.

5no responses have been received

-Side dormer will be facing neighbouring property 20 Dollis avenue/habitable room

-Overlooking

- The Architect Surveys do not make a true representation
- Side window should be fitted with permanently obscured glass.
- Air conditioning units on the side of the house
- Loss of privacy
- There is loss of light or overshadowing of adjoining properties.
- There is sense of enclosure or overbearing impact on adjoining properties.
- There is loss of garden, landscaping or open space.
- The extension is NOT subordinate to the original house  
The extension does not respect the original building and is overly-dominant  
The height of the extension is higher than the existing building.
- unacceptable sense of enclosure to house and garden
- overbearing impact.
- Harm to the character or appearance of the property and area.

## **5. Planning Considerations**

### **5.1 Policy Context**

#### National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published in 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

#### The Mayor's London Plan 2021

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

## Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity.

Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

## Barnet's Local Plan (2012)

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

### Supplementary Planning Documents

#### Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low-density suburban housing with an attractive mixture of terrace, semidetached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to the adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive

when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan and sets out how sustainable development will be delivered in Barnet.

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality.
- Whether harm would be caused to the living conditions of neighbouring residents.

## **5.3 Assessment of proposals**

### Design and Visual Amenity

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plan), D3 and D4 of the London Plan 2021.

Officers note that the surrounding properties and locality consists principally of detached properties of varying style and form, many of which have undergone alterations and enlargements. As such, the development proposed would in principle be considered acceptable and in keeping with the prevailing character of the area.

The Residential Design Guidance SPD states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

Rear extensions:

In regard to rear extensions the Residential Design Guidance SPD stipulates that the depth normally considered acceptable for single storey rear extensions on detached properties is 4 metres. Two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable. This is because they can be too bulky and dominant and have a detrimental effect on the amenities of neighbours. Flat roofs on two storey rear extensions are not normally acceptable because they do not relate sympathetically to the house.



The proposed ground floor rear and wraparound side extension is considered to be acceptable in principle. Though in parts the depth of the extension would exceed the RDG's recommend maximum of 4m for a detached property, officers note that this relates to the enlargement of the existing infill extension between the outbuilding and main property. In this regard the proposed bulk, scale and massing of the extension would not give rise to harm to the character of the main dwellinghouse relative to the existing situation.

The proposal includes a 2.4m deep rear low-level patio and decking outside the outbuilding. Based on a review of aerial imagery and site photos provided it is apparent that neighbouring properties benefit from significant rear hardstanding. Given this context, the proposed patio would be an acceptable addition to the pattern of development in the locality.

The scale of the proposed first floor rear extension complies in some regards with the Councils Residential Design Guidance. It is set off 2.2m from the common boundary from no.20, 2.4m between flank walls of No.24. This feature would extension across 12.9m in width. Though this is considerably more than half that of the original dwellinghouse, officers note that there are a number of first floor rear extension of comparable width. In this site-specific context, the scale of the proposed development is considered to be acceptable.

Porch:

With regards to the proposed front element, the front porch will see a continuance of design of the existing house. It is considered proportionate and is an acceptable part of the proposal - both in character and appearance terms. Likewise, due to the size, siting and design, the proposed front element is not considered to have a harmful impact.

Roof extension and alterations involving crown roof, side, and rear dormers, and rooflights:

The new crown roof extension will have the same height as the existing. Although this is contrary to the expectations of the SPD, the immediate opposite neighbouring property at No. 19 have a crown roof, and there are other examples along the streetscape with crown roof designs, therefore the proposed crown roof would not be out of character with the area.

The proposed side and rear dormers are of a modest width, height, and depth, in line with paragraph 4.33, and will subsequently appear as modest additions on the roof slope. It is noted that other properties within Dollis Avenue benefit from side and rear dormers, namely no.'s 24, and 23. Thus, the proposed dormer would not be out of character within the surrounding vicinity.

The rooflights will not add towards the bulk of the extension and are therefore acceptable.

Roof over rear end of outbuilding:

The new roof over rear end of will not been seen from the street scene, although representing a not inconsiderable volume to be added to the existing outbuilding, it would address a discordant and unsympathetic juxtaposition with the rest of the outbuilding. As such, it is not found that the proposed development would result in demonstrable harm to the character of the are and host dwelling to which it relates.

## Residential Amenity

Barnet's Residential Design SPD provides clear guidance with regard to what is expected from new developments to ensure that the amenity of neighbouring occupants is not harmfully impacted. With regard to this application, the key concern is whether the proposal would result in any degree of overlooking to neighbouring sites and if overshadowing, loss of outlook and loss of light would occur as a result of the development.

### 20 Dollis Avenue:

Regarding the impact on 20 Dollis Avenue, the rear elevation of the proposed rear extension would come as far as the rear elevation of 20 Dollis Avenue. It would therefore not create any undue loss of outlook, sense of enclosure, loss of daylight or sunlight or be overbearing to rear facing rooms or the garden.

There is a window at the first-floor level facing the host property and this appears to serve a habitable room/bedroom. However, this window is some 4.6m away from the proposed development which will extend only 2.6m further to the rear elevation. The room is also apparently served by a further window in the rear elevation, to which the existing outlook would be unaffected. It is also situated south-east of the host property and so not considered likely to be materially impacted in respect of sunlight. Due to these points, it is found that it will have an on balance acceptable impact and would not result in issue that would warrant a refusal.

There are no proposed side wall openings in the proposed and therefore would not cause any loss of privacy or overlooking. The proposal is 2.2m from the boundary line, given the size and siting of both, this is not considered to cause any undue loss of amenity.

The changes to the rear part of the roof of the outbuilding are not considered to make the impact of the extensive range building unacceptably more onerous than the existing situation.

### 24 Dollis Avenue:

Regarding the impact on 24 Dollis Avenue, the distance of 2.3 metres from the boundary of the proposed rear extension, and its overall depth when viewed from 24 Dollis Avenue is not considered to create any undue loss of outlook, sense of enclosure, loss of daylight or sunlight or be overbearing for no 24 Dollis Avenue. With no proposed side windows there will be no loss of privacy for no 24 Dollis Avenue.

### Dormers

It is not found that the roof extension involving a new crown roof, 2 no. side and 1no. rear dormer, and rooflights would have a detrimental impact on the amenities of the neighbouring properties, subject to a condition to require the obscuration and restricted opening of windows in the side dormers.

### Porch

The proposed front element would not lead to a sense of enclosure or overlooking on neighbouring amenities and is considered to have an acceptable impact on neighbouring amenities.

## 5.4 Response to Public Consultation

*Side dormer will be facing neighbouring property 20 Dollis avenue/habitable room, Overlooking, There is loss of light or overshadowing of adjoining properties, overbearing impact* This window will be 4.6m away from the proposed development which will extend just 2.6m from the host property rear elevation. Due to these point, it is found that it will have an acceptable impact and would not result in issue that would warrant a refusal.

*The Architect Surveys do not make a true representation* The plans provided are suitable for this application.

*Side window should be fitted with permanently obscured glass, Loss of privacy* this has been conditioned

*Air conditioning units on the side of the house* This can be permitted development, this was not part of this application.

*There is loss of garden, landscaping or open space* The host property benefits from a large rear garden. Therefore, it is found that a suitable rear garden space will be retained.

*The extension is NOT subordinate to the original house, overly dominant, The height of the extension is higher than the existing building* addressed above

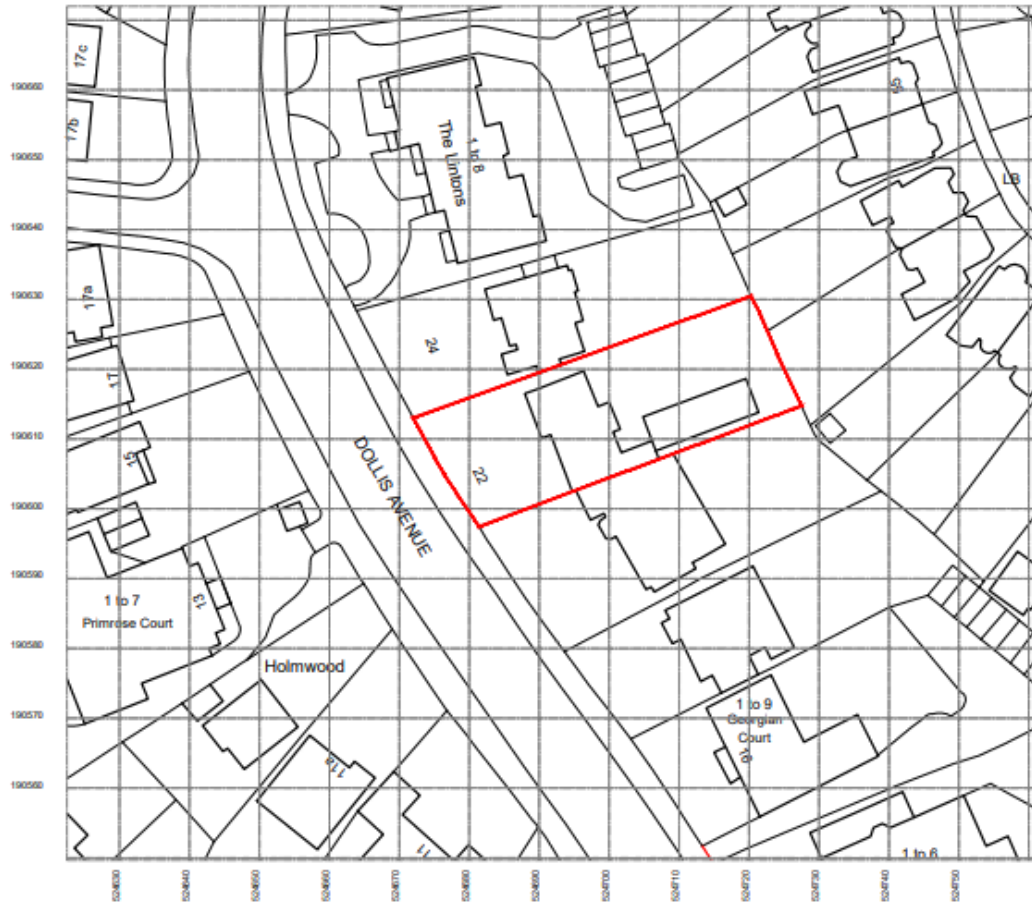
*Unacceptable sense of enclosure to house and garden, overbearing impact, Harm to the character or appearance of the property and area.* Address above

## 6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

## 7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL.



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